


**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>INTERNATIONAL UNION OF</b>	:	<b>CIVIL ACTION</b>
<b>PAINTERS AND ALLIED TRADES</b>	:	
<b>DISTRICT COUNCIL NO. 21</b>	:	
<b>HEALTH AND WELFARE FUND, <i>et</i></b>	:	
<b><i>al.</i></b>	:	
	:	
<b>v.</b>	:	<b>NO. 18-3480</b>
	:	
<b>SERVICE PAINTING, INC., <i>et al.</i></b>	:	

**ORDER**

**AND NOW**, this 16<sup>th</sup> day of May 2019, upon considering the Plaintiffs' Motion for judgment (ECF Doc. No. 30) on its default against Defendant Nick Garavelas under the Employee Retirement Income Security Act for unpaid employee contributions under a collective bargaining agreement, Defendant Garavelas' Response (ECF Doc. No. 36), Plaintiff's Reply (ECF Doc. No. 37), the parties' post-hearing briefing (ECF Doc. Nos. 43, 44), after evaluating the credibility of witnesses and adduced exhibits at our evidentiary hearing, and for reasons in the accompanying Memorandum, it is **ORDERED**:

1. Plaintiffs' Motion for judgment (ECF Doc. No. 30) is **GRANTED in part** and **DENIED in part**;
2. We enter **JUDGMENT** against Defendant Nick Garavelas in favor of the Plaintiffs for **\$472,093.96**; and,
3. The Clerk of Court shall return this case to our **suspense** docket while we await resolution of the co-defendant's bankruptcy proceeding.

  
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**KEARNEY, J.**